

BOIES, SCHILLER & FLEXNER LLP

575 LEXINGTON AVENUE • 7TH FLOOR • NEW YORK, NY 10022 • PH. 212.446.2300 • FAX 212.446.2350

December 19, 2014

BY ECF

Hon. Shira A. Scheindlin
United States District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007

Re: *Wultz v. Bank of China Ltd.*, No. 11-cv-01266 (SAS) (GWG)

Dear Judge Scheindlin:

We write in connection with the Letter of Request for International Judicial Assistance issued by Your Honor to the Kingdom of Belgium. Plaintiffs have researched the necessary steps to submit this request through diplomatic channels, and now respectfully seek guidance from the Court on how to proceed.

Background: On October 14, 2014, Plaintiffs requested that the Court issue a Letter of Request for International Judicial Assistance to the Kingdom of Belgium in the form of a Letter Rogatory (the “Letter Rogatory”), seeking the oral testimony of Said al-Shurafa and Reem al-Shurafa, whom Plaintiffs had located living in Liege, Belgium (Dkt. #676). Plaintiffs subsequently amended their proposed Letter Rogatory to address concerns expressed by defendant Bank of China Ltd. (Dkt. #694), and the Court signed and issued the amended Letter Rogatory on November 3, 2014 (Dkt. #708). Plaintiffs procured certified translations of the Letter Rogatory, and transmitted the Letter Rogatory to Belgium’s central authority, the Federal Public Service of Justice. On December 3, 2014, Plaintiffs were notified through their local counsel in Belgium that Belgium would be returning the Court’s Letter Rogatory unexecuted, directing Plaintiffs to “request the requesting judicial authority to send the request through diplomatic channels.” *See* Ex. 1, 11/25/14 Letter from Belgian Federal Public Service of Justice. At a conference before Your Honor on December 4, 2014, Plaintiffs notified the Court of this development, and committed to update the court on the appropriate process for submitting this Letter Rogatory through diplomatic channels.

Diplomatic Channels: To transmit a Letter Rogatory through diplomatic channels, the Department of State requires that either the Court or party counsel forward the signed Letter Rogatory, along with a cover letter and certified translations, to the Office of American Citizen Services in Washington, DC. The requirements for that submission can be found at <http://travel.state.gov/content/travel/english/legal-considerations/judicial/obtaining-evidence/preparation-letters-rogoratory.html>, a copy of which is attached hereto as Appendix A. Plaintiffs are prepared to submit the Letter Rogatory to the Department of State, or can provide the Court a packet of the necessary materials (including payment of all appropriate fees) for the Court’s approval and transmission. In light of Belgium’s guidance that “the requesting judicial authority” send the request for international legal assistance “through diplomatic channels” (*see*

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Ex.1), Plaintiffs believe it would be most appropriate for the Court to transmit the Letter Rogatory to the Department of State.

For the foregoing reasons, Plaintiffs respectfully seek the Court's guidance on how to proceed, and are available at the Court's convenience.

Respectfully yours,

A handwritten signature in dark ink, appearing to read "Lee Wolosky / DG13". The signature is written in a cursive, somewhat stylized font.

Lee Wolosky

Enclosures

cc: All Counsel